REMARKS

In view of the above amendment and the following discussion, the Applicants submit that none of the claims now pending in the application is made obvious under the provisions of 35 U.S.C. §103. Thus, the Applicants believe that all of these claims are now in allowable form.

I. IN THE SPECIFICATION

The Examiner has objected to the specification because it contains an embedded hyperlink and/or other form of browser-executable code on pages 1, 3, 7, 9 and 12, paragraphs 2, 5, 11, 44, 56 and 66 respectively. In response, the Applicants have removed all embedded hyperlinks on pages 1, 3, 7, 9 and 12, paragraphs 2, 5, 11, 44, 56 and 66 respectively. Effectively, Applicants have removed the underlines from the cited URLs. As such, the Applicants respectfully request the objection be withdrawn.

II. REJECTION OF CLAIM 10 UNDER 35 U.S.C. § 103

The Examiner has rejected claim 10 in the Office Action under 35 U.S.C. § 103 as being unpatentable over Farrell, et al. (US Patent 6,751,663, issued on June 15, 2004, hereinafter referred to as "Farrell") in view of Leong et al. (US Patent 6,269,398, issued on July 31, 2001, hereinafter referred to as "Leong") and further in view of Pegrum, et al. (US Patent 6,516,417, issued on February 4, 2003, hereinafter referred to as "Pegrum"). Applicants respectfully traverse the rejection.

Farrell teaches a system wide flow aggregation process for aggregating network activity records. Farrell teaches that a configuration file is stored in memory. (See Farrell, col. 15, ll. 33-46.) The configuration file is provided at startup to configure the flow data collector. (See *Id.*) Data stored in the flow data collector memory flows to the aggregation process. (See *Id.*)

Leong teaches a method and system for monitoring remote routers in networks for available protocols and providing a graphical representation of information received from the router. Leong teaches that management of the router is accomplished through

the use of a logical view of a router which view includes information on the router, protocols available on the router and interfaces available with the router. (See Leong, Abstract.)

Pegrum teaches virtual private networks. Pegrum teaches automatically configuring virtual private networks. (See Pegrum, Abstract.)

The Examiner's attention is directed to the fact that Farrell, Leong and Pegrum, alone or in any permissible combination, fail to teach, show or suggest the novel concept of a method of provisioning a packet network for handling incoming traffic demands comprising the steps of receiving configuration files **from a capacity planning server**, as positively claimed by Applicants' independent claim. Specifically independent claim 10 recites:

> 10. A method of provisioning a packet network for handling incoming traffic demands, said packet network comprising record collectors that generate ingress and egress files which are used to determine traffic patterns for routing flows from a source to a destination in the packet network, the method comprising the steps of:
>
> receiving configuration files **from** a capacity planning server, said configuration files comprising parameters in which flow records are to be analyzed during a measurement interval;
>
> receiving flow records from access routers;
>
> processing the flow records based on the parameters provided in the configuration files;
>
> generating ingress and egress files for each flow record received during the measurement interval;
>
> periodically notifying the capacity planning server when ingress and egress files for the measurement interval are available for upload;
>
> uploading the ingress and egress files to the capacity planning server;
>
> determining whether the packet network has adequate capacity based on the traffic patterns established from the uploaded ingress and egress files;
>
> if the capacity is not adequate, rerouting future flows through the packet network in order to establish adequate capacity;
>
> wherein the configuration files identify external interfaces for each access router; and
>
> wherein the configuration files identify a virtual private network (VPN) that is associated with each external interface.

Applicants respectfully submit that the Examiner has interpreted Farrell too broadly. Farrell clearly does not teach, show or suggest a method of provisioning a

packet network for handling incoming traffic demands comprising the steps of receiving configuration files **from a capacity planning server**. Farrell only teaches that the configuration files are in the memory of the flow data collector. (See Farrell, col. 15, ll. 33-46.) Moreover, Farrell clearly teaches that data flows **to** the flow aggregation process (FAP). (See *Id.*, emphasis added and Figure 14 where the arrow clearly indicates the data flow.) In other words, Farrell's FAP does not send or forward configuration files. Since the Examiner is alleging that Farrell's FAP 60 (See Farrell, Figure 14) is a capacity planning server, then Farrell is actually **teaching away** from Applicants' invention. In contrast, the Applicants' invention teaches that the configuration files are received **from a capacity planning server**.

Moreover, Leong and Pegrum fail to bridge the substantial gap left by Farrell. Leong only teaches that management of the router is accomplished through the use of a logical view of a router which view includes information on the router, protocols available on the router and interfaces available with the router. (See Leong, Abstract.) Pegrum only teaches Pegrum teaches automatically configuring virtual private networks. (See Pegrum, Abstract.) Therefore, the combination of Farrell, Leong and Pegrum does not teach, show or suggest a method of provisioning a packet network for handling incoming traffic demands comprising the steps of receiving configuration files **from a capacity planning server**, recited in Applicants' independent claim 10. As such, the Applicants respectfully request the rejection be withdrawn.

Conclusion

Thus, the Applicants submit that all of these claims now fully satisfy the requirements of 35 U.S.C. §103. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the issuance of a final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

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Respectfully submitted,

1/23/06

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